

Notice of Allowability	Application No.	Applicant(s)	
	10/687,324	URSCHELER ET AL.	
	Examiner	Art Unit	
	Katherine A. Bareford	1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 10/18/07.
2. ☒ The allowed claim(s) is/are 3-8, 10-22, 25, 27, 29-31, 34, 37-40 and 48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>attached</u> (2) 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|--|

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Hayhurst on October 31, 2007.

The application has been amended as follows:

IN THE SPECIFICATION:

At page 1, line 6, after "17, 2002," -- now abandoned, -- is inserted.

At page 1, lines 6, after 10/257,172," - filed April 17, 2003, which is a national stage application of PCT/US02/12002, - is inserted.

IN THE CLAIMS:

In claim 48, line 5, after "40 wt. %, and", -- wherein the curtain has an interface layer, and - is inserted.

2. These amendments (1) clarify that parent case 10/273,922 is now abandoned, and (2) provide proper antecedent basis for the term "the interface layer" in line 5 of claim 48.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: the closest prior art, to WO 01/54828, Wittosch et al (US 6548120) and either Katagiri et al (US 2002/0160121) or Japan 2000-070810 (hereinafter '810), as discussed in paragraphs 9 and 10 of the September 21, 2007 Office Action, suggests curtain coating a multilayer coating on a basepaper substrate using a curtain with a solids content, barrier functionalities, and coatweight as claimed. However, the references do not teach or suggest that the curtain interface (bottom) layer have a viscosity of at least about 430 centipoise and the substrate speed of at least 200 m/min with such solids content, barrier functionalities and coatweight, with Katagiri providing an upper limit of the interface layer viscosity of 300 mPas (= centipoises) and '810 providing an upper limit of the interface layer of 300 centipoise, which would thus teach away from the now claimed limit of at least 430 centipoise.

The Examiner also notes that (1) the case contains an article by P. Schweizer "Premetered Coating Processes: Advantages and Applications" (provided with applicant's IDS statement of April 15, 2004) that indicates that curtain coating is known to be performed with viscosities of 10-1000 mPas, with a web velocities of 1-30 m/s and more than 10 layers (see page 4). However, these wide ranges of possible materials and speeds give no indication that at least 430 centipoise for the specific interface layer should be used and at least 200 m/min velocity should be used, especially given the teaching by '810 and Katagiri of not to use such viscosities, as discussed above. (2)

Yokota et al (US 6497926) teaches to curtain coat using interface layers of 1000 mPas (such as column 14, lines 15-25 and column 15, lines 5-15), however, Yokota does not provide any teaching or suggestion, alone or in combination with the other cited art, that such coating can be performed at speeds greater than 200 m/min with no teaching of any speeds used. (3) Suga et al (US 5393571) (provided with applicant's IDS statement of July 31, 2007) provides a teaching of multilayer curtain coating with the lowermost layer having a viscosity of at least 90 centipoise (column 4, lines 5-10) and a speed of greater than 325 m/min (column 5, lines 55-60), however, Suga does not provide that the curtain has the solid contents and barrier functionalities as claimed and all examples of viscosity are 180 centipoise or less, within the range of '810 and Katagiri which provide an upper limit of 300 centipoise, and thus does not teach or suggest, alone or in combination with the other cited art, that specifically at least 430 centipoise, which is more than twice the highest example given, can be used at a speed of at least 200 m/min to coat the claimed coating.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine A. Bareford whose telephone number is (571)

272-1413. The examiner can normally be reached on M-F(6:00-3:30) with the First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571) 272-1423. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and for After Final communications.

Other inquiries can be directed to the Tech Center 1700 telephone number at (571) 272-1700.

Furthermore, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KATHERINE BAREFORD
PRIMARY EXAMINER